

DISTRICT OF COLUMBIA
+ + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF:

Tea Room, LLC	
t/a Science Club	Fact-
1136 19th Street, NW	Finding
Retailer CT - ANC-2B	Hearing
License No. 74353	
Case #14-251-00170	

(Assault on ABRA
Investigator, Operating After
Board-Approved Hours)

August 6, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

MARK BRASHEARS, ABRA Investigator
ZACHARY VICK, ABRA Investigator

1 P-R-O-C-E-E-D-I-N-G-S

2 (11:19 a.m.)

3 CHAIRPERSON MILLER: All right.

4 We have another Fact-Finding Hearing that is
5 scheduled next on our calendar. It was
6 scheduled for 10:30. I apologize for keeping
7 you all waiting.

8 That is Case No. 14-251-00170,
9 Science Club located at 1136 19th Street,
10 N.W., License No. 74353, in ANC-2B.

11 Are you here for that? Come on
12 forward and take a seat. Why don't you take
13 a seat over here? We should have more people
14 here for that.

15 MR. McGUIRE: My name is Steve
16 McGuire. I'm the owner and operating manager
17 of Science Club.

18 CHAIRPERSON MILLER: Okay. Good
19 morning.

20 INVESTIGATOR BRASHEARS: Good
21 morning.

22 CHAIRPERSON MILLER: If you could

1 introduce yourself for the record?

2 INVESTIGATOR BRASHEARS: Mark
3 Brashears, ABRA Investigator.

4 INVESTIGATOR VICK: Zachary Vick,
5 ABRA Investigator.

6 CHAIRPERSON MILLER: Okay. Do you
7 know if anyone from MPD is coming?

8 INVESTIGATOR BRASHEARS: I'm not
9 aware of that, ma'am.

10 CHAIRPERSON MILLER: You're not.
11 Okay. Then it is already 11:21, so I think if
12 they were planning on coming, they would be
13 here.

14 This is just a Fact-Finding
15 Hearing where we want to find out more
16 information about an incident that occurred at
17 this establishment with Mr. Brashears, I
18 guess. And we don't take testimony under oath
19 for this. It's just an information gathering
20 hearing like the last one you may have watched
21 with the previous case.

22 MR. MCGUIRE: Okay. I feel that

1 this one is going to be a lot more simple.

2 CHAIRPERSON MILLER: Yes, okay. I
3 think so, too. It is a different variety. So
4 I think that I just wanted to let you know
5 that we are not putting you under oath or
6 anything --

7 MR. MCGUIRE: Okay.

8 CHAIRPERSON MILLER: -- at this
9 point. But after we hear from you all, we may
10 decide to take certain action or not. We will
11 see what the facts unfold.

12 Okay. So I guess I would like to
13 start with Mr. Brashears. If you might give
14 us just a summary of what occurred on June
15 1st?

16 INVESTIGATOR BRASHEARS: The night
17 of the incident, myself and Investigator Vick
18 were over on 9th Street doing monitoring of
19 ABRA establishments. We walked up the
20 sidewalk, approached the establishment,
21 Science Club, and basically were going to go
22 in and do an ABC manager check, license check.

1 We met the owner. He was out
2 front at the top of the stairs. He asked for
3 identification. I provided my ABRA badge and
4 identified myself as an ABRA Investigator.
5 Investigator Vick provided his ABRA ID Card.

6 Basically, we asked to speak to
7 the ABC manager or owner and he instructed us
8 that, basically, we needed to go and have a
9 good time some place else, that we weren't,
10 you know, coming in.

11 I reiterated once again that I was
12 an ABRA Investigator. I was here to conduct
13 an inspection and I got the same response.
14 And basically, the only information that we
15 could get, at that point, was that, you know,
16 he worked at the establishment, but we
17 couldn't establish what his position was.

18 At that point, he wasn't wearing
19 any type of identifying clothing, name tag,
20 his speech was a little bit slurred, so I
21 wasn't sure if he was an intoxicated patron,
22 the owner, so I decided to enter the

1 establishment to basically, you know, find out
2 what was going on and speak with the owner.

3 And again, reiterating that I was
4 an ABRA Investigator and then the comment was
5 made that well, you obviously can't be an ABRA
6 Investigator because you are white. At that
7 point, I'm like I have had enough. I'm going
8 to go in and find the owner.

9 I started up the steps. There
10 were like three, I think, steps. I started up
11 the steps. He stepped into my path. I tried
12 to walk around. He reached out and grabbed me
13 by the biceps. I pushed free, stepped down
14 the steps and, at that point, he stopped, you
15 know, being -- blocking my way.

16 And as I have been instructed any
17 time we have a situation with an establishment
18 where there is interference or whatnot to call
19 the supervisor. So we stepped away and I
20 called my on-duty supervisor that night.

21 CHAIRPERSON MILLER: Can I just
22 ask you, when you are talking about, you know,

1 he did this, he did that, was it all the same
2 person?

3 INVESTIGATOR BRASHEARS: Yes.

4 CHAIRPERSON MILLER: Just the
5 owner?

6 INVESTIGATOR BRASHEARS: Yes.

7 CHAIRPERSON MILLER: Okay.

8 MR. MCGUIRE: Yes, I was the only
9 person on that evening.

10 CHAIRPERSON MILLER: Okay. Okay.
11 Just so I understand the story.

12 MEMBER ALBERTI: A question?

13 CHAIRPERSON MILLER: Is there a
14 clarifying question? Do you have clarifying
15 question?

16 MEMBER ALBERTI: Yes. Just real
17 quick.

18 CHAIRPERSON MILLER: Yes.

19 MEMBER ALBERTI: Investigator
20 Brashears, thank you for your report. Did you
21 or Investigator Vick -- were either of you or
22 both of you displaying your badges?

1 INVESTIGATOR BRASHEARS: I took --
2 I had it in my credential holder. I took it
3 out and held it out.

4 MEMBER ALBERTI: While you spoke
5 to Mr. McGuire when you first approached him?
6 When did you show it to him?

7 INVESTIGATOR BRASHEARS: When I
8 first approached him and he asked for
9 identification, I identified myself with my
10 badge. Investigator Vick was in training. He
11 did not have a badge, but he showed his ABRA
12 Identification Card that clearly said ABRA on
13 it.

14 MEMBER ALBERTI: Okay. All right.
15 So you -- was it your impression that your
16 badge was very visible and noticeable? I
17 mean, it looks like it's a badge.

18 INVESTIGATOR BRASHEARS: Yes.

19 MEMBER ALBERTI: Was it -- do you
20 believe that it was visible to Mr. McGuire?

21 INVESTIGATOR BRASHEARS: Yes, sir.

22 MEMBER ALBERTI: Okay. Thank you.

1 CHAIRPERSON MILLER: And what time
2 was it?

3 INVESTIGATOR BRASHEARS:
4 Approximately, 1:10 a.m.

5 CHAIRPERSON MILLER: That was it?
6 You didn't -- did you ever go into the --

7 INVESTIGATOR BRASHEARS: No,
8 ma'am, I did not.

9 CHAIRPERSON MILLER: Oh, okay.

10 INVESTIGATOR BRASHEARS: But I
11 think Investigator Vick has some information
12 as well, ma'am.

13 CHAIRPERSON MILLER: Okay. And
14 then we will let you respond, Mr. McGuire.
15 Okay.

16 INVESTIGATOR VICK: Yes. So
17 through what most of what Investigator
18 Brashears has said, once Investigator
19 Brashears --

20 MEMBER SILVERSTEIN: Can you speak
21 a little louder and use --

22 INVESTIGATOR VICK: Yes, sir.

1 Once Investigator Brashears' entry was blocked
2 by Mr. McGuire, Mr. McGuire grabbed him by the
3 biceps and Investigator Brashears freed
4 himself and then stepped back, we decided to
5 call the on-duty Investigator back at ABRA.

6 And Investigator Brashears went to
7 the car to get our clipboard to start our
8 process and Mr. McGuire stated that ABRA does
9 not hire white Investigators. We could not be
10 Investigators. And he called Investigator
11 Brashears a redneck Kentucky expletive.
12 Neither of these were prompted by me, these
13 things that he was saying.

14 CHAIRPERSON MILLER: Yes.

15 INVESTIGATOR VICK: And then went
16 to Investigator Brashears and arrived at our
17 white Impala, Mr. McGuire looked down and
18 seemed to realize that we were possibly
19 actually ABRA Investigators.

20 And I also would like to reiterate
21 that earlier when we arrived, we clearly
22 provided our badges. He -- I handed him my

1 identification card and Investigator Brashears
2 held up his identification and he simply chose
3 not to see it as legitimate.

4 He just did not view us as ABRA
5 Investigators.

6 CHAIRPERSON MILLER: You either?
7 He didn't accept you as an ABRA Investigator
8 either?

9 INVESTIGATOR VICK: Neither one of
10 us.

11 CHAIRPERSON MILLER: Okay. Yes?

12 MEMBER ALBERTI: Real quick.

13 CHAIRPERSON MILLER: Yes.

14 MEMBER ALBERTI: Can you describe
15 your impression of Mr. McGuire's demeanor, at
16 that time? Completely sober or maybe not so.
17 I mean, I just --

18 INVESTIGATOR VICK: He --

19 MEMBER ALBERTI: -- belligerent?

20 INVESTIGATOR VICK: -- seemed --

21 MEMBER ALBERTI: Just jovial, I
22 mean, give it to me. What do you think?

1 INVESTIGATOR VICK: He was
2 confrontational. His eyes were bloodshot. He
3 seemed like he was under the influence of
4 something to me.

5 INVESTIGATOR BRASHEARS: And when
6 he, you know, grabbed me, I was close enough
7 to actually, you know, smell alcohol on him.
8 And when I broke away from him, he informed me
9 that my breath smelled delicious, as I had --
10 as I was eating a mint.

11 MEMBER ALBERTI: I guess that's a
12 compliment.

13 INVESTIGATOR BRASHEARS: Well, at
14 that point, you know --

15 MEMBER ALBERTI: I'm sorry. I
16 didn't mean to make light.

17 INVESTIGATOR BRASHEARS: -- when
18 we first arrived, I wasn't exactly sure, but
19 the longer we engaged with him, it was clear,
20 past experience as a law enforcement officer,
21 that he was intoxicated.

22 MEMBER ALBERTI: Thank you.

1 INVESTIGATOR VICK: Thank you.

2 CHAIRPERSON MILLER: And you just
3 passed on the information to your supervisor?

4 INVESTIGATOR BRASHEARS: At that
5 point, ABRA Investigator Peru was the Senior
6 Investigator on that evening. He came out.
7 He brought the MPD.

8 CHAIRPERSON MILLER: Okay.

9 INVESTIGATOR BRASHEARS: MPD got
10 involved and interviewed everyone.

11 CHAIRPERSON MILLER: Okay.

12 INVESTIGATOR BRASHEARS: And then
13 we went from there. But at that point,
14 basically, I disengaged because of the
15 confrontation and didn't have any further
16 dealings.

17 CHAIRPERSON MILLER: Okay. So the
18 main reason we are having this hearing was
19 because of this confrontation and if you want
20 to call it assault with our Investigator. So
21 do you want to respond now to --

22 MR. McGUIRE: It was my intention

1 to, when I sat down here today, accept things
2 as they were said. And the only thing that I
3 was really going to differ about -- or accept
4 things as they are written here.

5 The only thing I was going to
6 differ about is that this gentleman or the
7 officer did mention that there are two small
8 stairs coming out from the sidewalk and it's
9 a brick enclosed patio and it has a gate that
10 is about this wide and that's where I was
11 standing.

12 And when the officer went to walk
13 past me, he walked into this enormous arm with
14 his chest. Took two steps backwards and said
15 that's assault. At that point, he showed me
16 his badge. So that was really going to be the
17 only thing that I differed. But hearing these
18 two officers corroborating story, I actually
19 would like to just tell a short story about my
20 interaction with them.

21 CHAIRPERSON MILLER: Okay.

22 MR. McGUIRE: It was 1:00, I

1 agree. We were having a very slow night. As
2 I mentioned, the outdoor patio was empty. I
3 saw these two gentlemen on 19th Street on my
4 side of the block about 20 yards away in front
5 of a closed business and they were standing
6 and talking.

7 They were having some banter.
8 They didn't seem like a problem or whatever,
9 but they were out there for about 5 or 10
10 minutes. I actually had gone back into the
11 business. We have a basement bar. It's a
12 split level brownstone. The basement bar was
13 already closed because we were so slow.

14 I looked downstairs. I went up
15 through upstairs, looked around, came back
16 out. Not specific to them whatsoever, but I
17 do remember that they were still there. I
18 decided to close the business. You know, like
19 these guys walked up and, you know, for
20 whatever reason I would either let them in or
21 I wouldn't let them in.

22 They were outside. I can't get

1 their names. They are both the same, but one
2 officer, the officer that was doing the
3 majority of the speaking, Brashears, he seemed
4 confident and happy. I watched him eat a
5 mint. I was wondering about whether or not he
6 ate the mint because he was intoxicated or
7 not. I wasn't really able to judge from as
8 far away as I was.

9 The other gentleman was very
10 quiet. And the other gentleman walked up and
11 stood next to the gate. At that point, they
12 were just acting not -- I mean, I wouldn't say
13 abnormal, but just not walking down the street
14 and turning in to walk into the business.
15 They were just acting a little different. So
16 I decided I'm not going to let them in and
17 it's my call, as a doorman, I'm going to
18 close.

19 And they talked to me and I said
20 yes, how are you doing? And he said we are
21 coming in. And I said actually, we are going
22 to close. And he said well, then I can't come

1 in? And I said no, you can have a wonderful
2 night somewhere else, that's the way I suggest
3 to people. I don't point at people and tell
4 them they are intoxicated or whatever.

5 And again, I'm not assuming he
6 was. I said you can have a wonderful night
7 somewhere else. And he is like what's that
8 supposed to mean? And I said you can have --
9 it means whatever you would like. We are
10 going to close. You can have a great night
11 somewhere else.

12 And he said no, I am going to come
13 in. And then he walked around and I just
14 opened my arms. He touched my shoulder or
15 touched his chest against my arm. He took a
16 step back, pointed at me and said that's
17 assault, whipped out a wallet and I saw a
18 flash of a badge. He said I'm ABRA and we are
19 coming in.

20 I said I don't -- I believe that
21 that is a badge, but I don't see any
22 identification. Can I see your badge? And

1 the other gentleman said I don't have a badge,
2 because I found out later that he was in
3 training.

4 So he didn't show me a badge.
5 Neither one of them showed me a placard with
6 their picture on it that says ABRA
7 Investigator of any sort. And when Mr.
8 Brashears walked across the street easily
9 agitated, like aggravated at me, as I would
10 be, too.

11 It was understandable. I mean,
12 now I'm a civilian telling him what to do. I
13 don't think -- I still didn't think that he
14 was. And the other officer stayed right next
15 to me and we both watched him walk across the
16 street.

17 And as I told you, my first
18 observations of them, they were on my side of
19 the street. And I watched him walk across the
20 street and then down the block and then open
21 the door of a white -- like he actually, the
22 gentleman standing next to me, said you are in

1 trouble right now, as the guy was walking
2 away.

3 And I said, you know, I think I'm
4 going to ride this one out. And because I
5 still didn't believe that that was just a
6 flash of a badge. And when I saw the
7 gentleman open an Impala with D.C. Official
8 Tags, I realized I just made several poor
9 decisions in a row and, you know, riding it
10 out.

11 Silly refusing entry, silly not
12 clearly seeing that the badge was ABRA, silly
13 when he came back with the tell-tale enormous
14 metal clipboard, obviously, I was, you know,
15 just had messed up and I apologetic. And I
16 said all right, you know, tell me what I can
17 do. And he said you can wait there and you
18 can get in a world of trouble.

19 And then everybody came, cops
20 came, his supervisor came, cops supervisors
21 came, like I said. At that point, I just did
22 everything that they told me to do, which I

1 normally would have done anyway for any ABRA
2 person.

3 I mean, I'm dumb with making those
4 mistakes, but I'm not stupid. I'm not going
5 to meet an ABRA Investigator and refuse them
6 entry or at any point grab anybody like this.
7 I mean, one, it is wrong to grab people. Two,
8 if you are trying to stop somebody, this is
9 about the dumbest thing you can do.

10 I mean, it's not a very safe move
11 physically. So I am non-confrontational and
12 I messed up and I apologize. And I apologize
13 to the officer as well. I have had dozens of
14 ABRA Investigators visit in the middle of the
15 day and in the middle of the night. I always
16 have.

17 Usually, it's a pleasant
18 experience for both of us. Usually it is lots
19 of laughing. You know, I might complain that
20 I'm busy or I might complain that I'm slow.
21 There is -- I respect people's jobs that they
22 do wherever they do them. And I usually get

1 along with people.

2 This was three mistakes, three
3 poor decisions in a row and I'm apologetic and
4 I have nothing more to add. I would be happy
5 to answer any questions.

6 CHAIRPERSON MILLER: Okay. Thank
7 you. Yes, Mr. Short?

8 MEMBER SHORT: Yes, good morning.
9 Yes, good morning. Mr. McGuire, is it?

10 MR. MCGUIRE: Yes, sir.

11 MEMBER SHORT: How long have you
12 been in business in the District of Columbia?

13 MR. MCGUIRE: I have been an ABRA
14 Manager since 1996. I opened Chi-Cha Lounge on
15 U Street where I came up with the phrase "You
16 can have a good night somewhere else." I
17 mean, it was right on 16th and U, so it was --
18 back then it was a little kind of sketchy
19 sometimes.

20 I opened Gazuza. I managed a
21 couple of places on 18th Street. I managed
22 Local 16 where I instigated a new security

1 system to avoid all of the kids that were
2 coming in from Georgetown or whatever. And I
3 have never had issues.

4 I have been in front of this Board
5 one time from Science Club where, if the
6 record -- if it's on my record, somebody came
7 in on drugs. They were asked to leave. They
8 started a fight right in front of my place and
9 got hurt. And because they didn't know what
10 was going on, they thought it was somebody on
11 my staff that did it and it ended up getting
12 dismissed.

13 MEMBER SHORT: Okay. That's
14 great. Now, Mr. McGuire, I am very adamant
15 that our Investigator do a wonderful job out
16 there. And this is the very first time I have
17 ever heard of one of our Investigators being
18 assaulted or being turned away or not being
19 respected in their capacity as Investigators
20 for ABRA.

21 This is a very serious matter. To
22 me as a Board Member, a very serious

1 infraction.

2 MR. MCGUIRE: Absolutely.

3 MEMBER SHORT: I would think that
4 with all the businesses that you have been in
5 over the hearings, you would have acted a lot
6 differently, especially when they identified
7 themselves and you still had a problem.

8 MR. MCGUIRE: They had -- no. I--
9 they didn't tell me they were ABRA before I
10 said no, we are closed. He said I'm going in.
11 And then I said no, we are closed. At that
12 point, I thought I was talking to a civilian,
13 absolutely. I -- my history says that I don't
14 -- I'm respectful.

15 MEMBER SHORT: Mr. McGuire, I hope
16 this is the very last time this ever happens.

17 MR. MCGUIRE: Absolutely.

18 MEMBER SHORT: You come before
19 this Board for this kind of situation --

20 MR. MCGUIRE: Absolutely.

21 MEMBER SHORT: I am -- and what I
22 really want to say is I really believe what

1 the Investigators is saying. Their story is
2 different from yours.

3 MR. McGUIRE: Yes.

4 MEMBER SHORT: And both of them
5 had the same story. And you are there by
6 yourself, correct?

7 MR. McGUIRE: Correct.

8 MEMBER SHORT: So you are saying
9 that they are not telling the truth?

10 MR. McGUIRE: I'm not trying to
11 offend anybody, but I'm telling you my -- what
12 I told you is the truth.

13 MEMBER SHORT: Thank you, Madam
14 Chair. That's all I have right now.

15 CHAIRPERSON MILLER: Mr. Brooks?

16 MEMBER BROOKS: Mr. McGuire, how
17 long have you stated you have been an owner?

18 MR. McGUIRE: The owner of Science
19 Club?

20 MEMBER BROOKS: Yes.

21 MR. McGUIRE: From 2005 to
22 present.

1 MEMBER BROOKS: Okay. I have been
2 on this Board, I think, since 2008.

3 MR. McGUIRE: Yes.

4 MEMBER BROOKS: And that has to be
5 the most tortured, incomprehensible
6 explanation that I have ever heard.

7 MR. McGUIRE: What I --

8 MEMBER BROOKS: I don't believe a
9 word of it.

10 MR. McGUIRE: You don't believe a
11 word of --

12 MEMBER BROOKS: Not one word.

13 MR. McGUIRE: Okay.

14 MEMBER BROOKS: As one Board
15 Member.

16 MR. McGUIRE: Okay.

17 MEMBER BROOKS: Thank you, Madam
18 Chair.

19 MEMBER ALBERTI: Just can I ask a
20 couple quick questions before --

21 CHAIRPERSON MILLER: Okay. All
22 right. Mr. Alberti?

1 MEMBER ALBERTI: I just have quick
2 questions. So, Mr. McGuire, had you been
3 drinking that night?

4 MR. MCGUIRE: I did have a couple
5 of drinks, yes.

6 MEMBER ALBERTI: How much?

7 MR. MCGUIRE: Two drinks.

8 MEMBER ALBERTI: Two drinks?
9 Okay.

10 MR. MCGUIRE: And then the
11 gentleman mentioned my eyes -- my eyes are
12 always red. I put Visine in them.

13 MEMBER ALBERTI: We heard from the
14 Investigator some comments that you made. You
15 heard those.

16 MR. MCGUIRE: Yes.

17 MEMBER ALBERTI: Do you want to
18 speak to that?

19 MR. MCGUIRE: I did not say that.
20 I did not swear. I did -- and I also -- my
21 personal politics are hyper-progressive and I
22 would not accuse a Board of being -- or a

1 group of being racist without hiring whites or
2 blacks or whatever.

3 I have never seen -- this is my
4 quote is "I have never seen a white ABRA
5 Investigator."

6 MEMBER ALBERTI: All right. Thank
7 you, Mr. McGuire. I'm just -- my only comment
8 is that as Mr. Brooks said, we have
9 conflicting information here and I think that
10 it needs to be sorted out.

11 MEMBER SILVERSTEIN: I have
12 several questions, Mr. McGuire.

13 Did you make a comment about not
14 hiring white Investigators?

15 MR. MCGUIRE: No. I -- well --

16 MEMBER SILVERSTEIN: What did you
17 say?

18 MR. MCGUIRE: -- I'm --

19 MEMBER SILVERSTEIN: What did you
20 say because this deals with you did not --
21 both of you agree that you did not believe
22 that Mr. Brashears was an ABRA Investigator.

1 MR. MCGUIRE: Right. And the
2 reason I didn't believe him is, well, one, he
3 started to walk into the business without
4 showing me any ID whatsoever. And when I
5 opened my arms, I mean my arm was already
6 holding the railing anyway, and when he bumped
7 into me and then backed up and said that's
8 assault, at that point, he pulled out a badge
9 and he flashed it in front of me like this far
10 away and pulled it back and said I'm ABRA.
11 And he backed up agitated and started walking
12 across the street.

13 And I said well, do you have a
14 badge and the gentleman didn't have a badge.
15 I mean, at that point, I was happy that he was
16 calling the police, because I really didn't
17 know what was going on.

18 And when I saw him open the car,
19 that was like I'm 48, so I was just kind of
20 observing or gauging what was going on in the
21 situation. And using my experience, I'm like
22 this guy is acting weird. This guy doesn't

1 have a badge or an ID.

2 This guy just flashed a badge and
3 like backed across the street quickly. And
4 then when I saw him at the white car with the
5 D.C. Official Tags, that's when I realized
6 that badge was probably correct. And now he
7 is going to come back here and he came back
8 and pulled out his photo ID, which now is news
9 to me.

10 I'm absolutely -- and I apologize
11 that you don't believe me, but --

12 MEMBER SILVERSTEIN: Oh, no.

13 MR. MCGUIRE: -- I'm not dumb
14 enough to refuse entry to an ABRA
15 Investigator. That's just not -- in my real
16 house, I'm sorry.

17 MEMBER SILVERSTEIN: I'm looking
18 at your investigative history and this is such
19 an aberration.

20 CHAIRPERSON MILLER: Right.

21 MEMBER SILVERSTEIN: This is
22 probably the only thing on your side that you

1 had a \$250 citation from 2008 for -- which was
 2 administratively dismissed on the posting of
 3 a license. I mean, nothing more or minor that
 4 and in 2008 there was the simple assault,
 5 which was something that we looked into and
 6 there was nothing done there, because,
 7 obviously, there was nothing where you were
 8 found at fault.

9 Your record is about as clean as
 10 it could possibly be.

11 MR. MCGUIRE: Yes.

12 MEMBER SILVERSTEIN: And we never
 13 hear a peep about your establishment. What
 14 happened? Were you impaired? I mean, did --
 15 were you tired and two drinks did you in?
 16 What --

17 MR. MCGUIRE: I had been --

18 MEMBER SILVERSTEIN: -- I mean --

19 MR. MCGUIRE: -- as is stated
 20 here, I was having a bad week. I was -- the
 21 two drinks did do me in. It was 1:00 in the
 22 morning. I have a license to open -- to sell

1 until 3:00, but I wasn't even busy enough to
2 stay there.

3 And so I was just tired and I was
4 going to close the business, like I mean for
5 the day. I'm not somebody who grabs people.
6 It's just not safe. I'm from Boston. I have
7 been in fights before in high school or
8 whatever and, you know, elementary school
9 even. It's not safe to grab anybody.

10 And all I did was stop him from
11 walking past me. I didn't grab anybody. And
12 I found that strange that that -- again, like
13 when you hear a story and you see -- when you
14 read a news story in two different articles or
15 two different publications and there is points
16 that are exactly the same and there is points
17 that have changed, I found it interesting that
18 the points that were exactly the same was that
19 I used two hands to grab each one of his
20 biceps and they both said the same thing,
21 that's not what happened.

22 And I -- you are free to,

1 obviously, believe anybody or however you want
2 to put it together. But whatever happens with
3 this, that's not what happened.

4 MEMBER SILVERSTEIN: I think I
5 have heard enough.

6 CHAIRPERSON MILLER: Mr.
7 Rodriguez?

8 MEMBER RODRIGUEZ: Señor McGuire?

9 MR. MCGUIRE: Yes, sir.

10 MEMBER RODRIGUEZ: I want you to
11 be reminded that this organization hires all
12 kinds of people across the Board, Señor
13 McGuire.

14 MR. MCGUIRE: Yes, sir.

15 MEMBER RODRIGUEZ: Okay. And for
16 somebody with your experience that has been
17 around, I am completely, completely shocked
18 that you would be able to conduct yourself in
19 such a way which is unacceptable. I refuse to
20 believe that you were so impaired that you
21 could make such a ridiculous statement as you
22 made. It's unacceptable.

1 I want you to know don't mess with
2 our Investigators.

3 MR. McGUIRE: Yes.

4 MEMBER RODRIGUEZ: Whatever color
5 or race or what, do not mess with our
6 Investigators. Do you understand that, sir?

7 MR. McGUIRE: I understood that
8 before this started, yes.

9 MEMBER RODRIGUEZ: Thank you,
10 Madam --

11 MR. McGUIRE: Yes, I'm deeply
12 embarrassed.

13 MEMBER RODRIGUEZ: Thank you,
14 Madam Chairman.

15 CHAIRPERSON MILLER: Okay.
16 Others? I mean, I guess what I would like to
17 say is I somewhat believe you, you know, that
18 this is what you thought that evening, but
19 what I see beyond that is that, based on what
20 I heard, I'm pretty sure you were impaired.
21 And maybe, you know, it's against your
22 interest to admit it in this hearing, but I

1 think that what I would say is you need to
2 learn from that, because it, obviously,
3 distorts your perception and led to a bad
4 situation with our ABRA Investigators and it
5 could lead to a worse situation with other
6 people.

7 You know, specifically guys, you
8 know. So I know that it boils down to, you
9 know, did you grab him or did you put your arm
10 out? And I think at least as far as I'm
11 concerned, it's a big warning. You know,
12 something worse could happen in the future.

13 And I hear you basically admitting
14 to saying wrong things whether you said
15 everything they say you said or whether you
16 only said some of them, it all was fairly
17 inappropriate. It is always, as Mr. Rodriguez
18 said, a serious offense to "assault" an
19 Investigator.

20 So I'm glad no one was really, you
21 know, hurt in this instance. And I can't
22 remember the state of the law, but I'm pretty

1 sure it is changing, if it hasn't changed
2 already, that to make it an offense to be
3 impaired as the owner or the manager on duty.

4 MR. MCGUIRE: It's the manager.

5 CHAIRPERSON MILLER: As the ABC
6 manager on duty or whatever. But I think
7 maybe you have had a bad enough experience to
8 not put yourself in that situation again.

9 MR. MCGUIRE: It hasn't happened
10 before or since, obviously.

11 CHAIRPERSON MILLER: Okay. All
12 right. Anything else?

13 MEMBER ALBERTI: No.

14 CHAIRPERSON MILLER: All right.
15 Yes?

16 INVESTIGATOR BRASHEARS: Can I
17 just make a clarifying --

18 CHAIRPERSON MILLER: Sure.

19 INVESTIGATOR BRASHEARS: I just
20 want to make sure the Board is aware, just
21 kind of going back to his statement, you know,
22 his concern about the mint I was eating or

1 whatnot.

2 Basically, I'm not sure if you
3 guys are aware, I am diabetic. I was eating
4 a mint to bump my blood sugar, keep me going.
5 We -- I did show my badge. I did show my ID
6 card. We were very adamant about who we were.

7 And past that, even after, you
8 know, Mr. McGuire acknowledge that we were
9 ABRA Investigators, during the follow-up when
10 Investigator Demby was conducting a regulatory
11 inspection, disparaging comments were
12 continually being made about me and the
13 Agency, at that time.

14 Once the -- once he was aware of
15 who we were, and it is my feeling on it, it
16 showed a lack of respect toward the
17 Investigators and the Agency. And that's what
18 was disconcerting to me.

19 MEMBER SILVERSTEIN: Madam Chair?

20 CHAIRPERSON MILLER: Yes?

21 MEMBER SILVERSTEIN: There appears
22 to be a prima facie case of obstruction here.

1 I would like to move that we refer this to the
2 Attorney General's Office for Show Cause.

3 MEMBER SHORT: I second the
4 motion.

5 CHAIRPERSON MILLER: On the
6 assault violation?

7 MEMBER SILVERSTEIN: Obstruction.

8 MEMBER SHORT: Obstruction.

9 CHAIRPERSON MILLER: Obstruction
10 of --

11 MEMBER SILVERSTEIN: Well, I --

12 CHAIRPERSON MILLER: -- an
13 Investigator?

14 MEMBER ALBERTI: May I speak to
15 that?

16 CHAIRPERSON MILLER: Yes, go
17 ahead.

18 MEMBER ALBERTI: The OAG will
19 determine what charges to bring.

20 MEMBER SILVERSTEIN: Right.

21 MEMBER ALBERTI: But I believe Mr.
22 Silverstein. I agree with Mr. Silverstein

1 that there is enough evidence on obstruction
2 that we -- that the OAG should take a serious
3 look at that.

4 There also is allegations of
5 substantial change operating the sidewalk cafe
6 after hours. So we will allow the -- I agree,
7 we should allow the OAG to take a look at
8 this. I agree with Mr. Silverstein.

9 CHAIRPERSON MILLER: Okay. All
10 right. There has been a motion to then refer
11 the case to the Office of the Attorney
12 General.

13 MEMBER SHORT: And it has been
14 seconded.

15 CHAIRPERSON MILLER: And seconded.
16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? The motion
20 passes 6-0-0.

21 So I just want to explain to you,
22 Mr. McGuire, that hearing or no hearing, the

1 Board gets these investigation reports and
2 then decides whether to -- that there is
3 enough information in here to forward to the
4 Office of Attorney General and then they
5 decide whether to proceed with any of the
6 violations.

7 And you have a copy --

8 MR. McGUIRE: I can't hear you.

9 CHAIRPERSON MILLER: -- of the
10 investigation report, I think?

11 MR. McGUIRE: Yes.

12 CHAIRPERSON MILLER: Okay.

13 MR. McGUIRE: The administrative
14 case report?

15 CHAIRPERSON MILLER: Yes.

16 MR. McGUIRE: Yes.

17 CHAIRPERSON MILLER: Okay. That's
18 the --

19 MR. McGUIRE: I didn't hear that
20 last thing you said before the -- you said you
21 -- there is a hearing and --

22 CHAIRPERSON MILLER: Okay. This

1 was not a hearing. This was not an
2 evidentiary hearing on a charge. This was a
3 Fact-Finding Hearing, because we wanted to
4 hear more of the facts and then decide whether
5 to refer this to the Office of the Attorney
6 General.

7 MR. MCGUIRE: Okay.

8 CHAIRPERSON MILLER: Okay. So
9 that's what has happened here. What I just
10 want to tell you is that some times we get
11 reports we don't necessarily have a Fact-
12 Finding Hearing, they go to the Office of the
13 Attorney General anyway, because there is
14 enough information for us to send it to them
15 to decide whether or not they want to bring
16 any of the charges that are listed in the
17 report.

18 MR. MCGUIRE: Okay. So the --
19 this is going to the Attorney General?

20 CHAIRPERSON MILLER: Yes. This is
21 going --

22 MR. MCGUIRE: And then the

1 Attorney General will decide whether they are
2 going to go forward with it?

3 CHAIRPERSON MILLER: Right.
4 Whether they are going to have a Show Cause
5 Hearing on any of these violations.

6 MR. McGUIRE: Okay.

7 CHAIRPERSON MILLER: I think you
8 had one violation in the past. I'm not sure
9 what your hearing was, whether it went to
10 hearing or what.

11 MR. McGUIRE: No.

12 CHAIRPERSON MILLER: Not go to
13 hearing. Okay. Good.

14 MR. McGUIRE: I have had --

15 CHAIRPERSON MILLER: You have had
16 just one.

17 MR. McGUIRE: -- a fine. I don't
18 know. So what do I do now? Just wait to hear
19 from the --

20 CHAIRPERSON MILLER: Yes.

21 MEMBER SILVERSTEIN: You wait.

22 CHAIRPERSON MILLER: Exactly,

1 exactly. Just hold on to your report. This
2 is the report that it will be based on.

3 MR. McGUIRE: Okay.

4 CHAIRPERSON MILLER: Okay. And
5 yes, don't get impaired again --

6 MR. McGUIRE: Okay. I won't.

7 CHAIRPERSON MILLER: -- at your
8 business. Okay. Yes, that's it.

9 MR. McGUIRE: I'm done?

10 CHAIRPERSON MILLER: You're done.
11 Thank you very much. Thank you very much.

12 (Whereupon, the Fact-Finding
13 Hearing in the above-entitled matter was
14 concluded at 11:52 a.m.)

15

16

17

18

19

20

21

22

<p>A</p> <p>\$250 30:1</p> <p>a.m 2:2 9:4 42:14</p> <p>ABC 4:22 5:7 35:5</p> <p>aberration 29:19</p> <p>able 16:7 32:18</p> <p>abnormal 16:13</p> <p>above-entitled 42:13</p> <p>ABRA 1:9,21,21 3:3,5 4:19 5:3,4,5 5:12 6:4,5 8:11,12 10:5,8,19 11:4,7 13:5 17:18 18:6 19:12 20:1,5,14 21:13 22:20 23:9 27:4,22 28:10 29:14 34:4 36:9</p> <p>absolutely 23:2,13 23:17,20 29:10</p> <p>abstaining 38:19</p> <p>accept 11:7 14:1,3</p> <p>accuse 26:22</p> <p>acknowledge 36:8</p> <p>acted 23:5</p> <p>acting 16:12,15 28:22</p> <p>action 4:10</p> <p>adamant 22:14 36:6</p> <p>add 21:4</p> <p>administrative 39:13</p> <p>administratively 30:2</p> <p>admit 33:22</p> <p>admitting 34:13</p> <p>Agency 36:13,17</p> <p>aggravated 18:9</p> <p>agitated 18:9 28:11</p> <p>agree 15:1 27:21 37:22 38:6,8</p> <p>ahead 37:17</p> <p>Alberti 1:17 7:12 7:16,19 8:4,14,19 8:22 11:12,14,19 11:21 12:11,15,22</p>	<p>25:19,22 26:1,6,8 26:13,17 27:6 35:13 37:14,18,21</p> <p>alcohol 12:7</p> <p>Alcoholic 1:2,12,13</p> <p>allegations 38:4</p> <p>allow 38:6,7</p> <p>ANC-2B 1:7 2:10</p> <p>answer 21:5</p> <p>anybody 20:6 24:11 31:9,11 32:1</p> <p>anyway 20:1 28:6 40:13</p> <p>apologetic 19:15 21:3</p> <p>apologize 2:6 20:12 20:12 29:10</p> <p>appears 36:21</p> <p>approached 4:20 8:5,8</p> <p>Approximately 9:4</p> <p>arm 14:13 17:15 28:5 34:9</p> <p>arms 17:14 28:5</p> <p>arrived 10:16,21 12:18</p> <p>articles 31:14</p> <p>asked 5:2,6 8:8 22:7</p> <p>assault 1:9 13:20 14:15 17:17 28:8 30:4 34:18 37:6</p> <p>assaulted 22:18</p> <p>assuming 17:5</p> <p>ate 16:6</p> <p>Attorney 37:2 38:11 39:4 40:5 40:13,19 41:1</p> <p>August 1:11</p> <p>avoid 22:1</p> <p>aware 3:9 35:20 36:3,14</p> <p>aye 38:16,17</p> <p>B</p> <p>back 10:4,5 15:10</p>	<p>15:15 17:16 19:13 21:18 28:10 29:7 29:7 35:21</p> <p>backed 28:7,11 29:3</p> <p>backwards 14:14</p> <p>bad 30:20 34:3 35:7</p> <p>badge 5:3 8:10,11 8:16,17 14:16 17:18,21,22 18:1 18:4 19:6,12 28:8 28:14,14 29:1,2,6 36:5</p> <p>badges 7:22 10:22</p> <p>banter 15:7</p> <p>bar 15:11,12</p> <p>based 33:19 42:2</p> <p>basement 15:11,12</p> <p>basically 4:21 5:6,8 5:14 6:1 13:14 34:13 36:2</p> <p>believe 8:20 17:20 19:5 23:22 25:8 25:10 27:21 28:2 29:11 32:1,20 33:17 37:21</p> <p>belligerent 11:19</p> <p>Beverage 1:2,12,13</p> <p>beyond 33:19</p> <p>biceps 6:13 10:3 31:20</p> <p>big 34:11</p> <p>bit 5:20</p> <p>blacks 27:2</p> <p>block 15:4 18:20</p> <p>blocked 10:1</p> <p>blocking 6:15</p> <p>blood 36:4</p> <p>bloodshot 12:2</p> <p>Board 1:2,13 22:4 22:22 23:19 25:2 25:14 26:22 32:12 35:20 39:1</p> <p>Board-Approved 1:10</p> <p>boils 34:8</p>	<p>Boston 31:6</p> <p>Brashears 1:21 2:20 3:2,3,8,17 4:13,16 7:3,6,20 8:1,7,18,21 9:3,7 9:10,18,19 10:1,3 10:6,11,16 11:1 12:5,13,17 13:4,9 13:12 16:3 18:8 27:22 35:16,19</p> <p>breath 12:9</p> <p>brick 14:9</p> <p>bring 37:19 40:15</p> <p>broke 12:8</p> <p>Brooks 1:17 24:15 24:16,20 25:1,4,8 25:12,14,17 27:8</p> <p>brought 13:7</p> <p>brownstone 15:12</p> <p>Building 1:13</p> <p>bump 36:4</p> <p>bumped 28:6</p> <p>business 15:5,11,18 16:14 21:12 28:3 31:4 42:8</p> <p>businesses 23:4</p> <p>busy 20:20 31:1</p> <p>C</p> <p>cafe 38:5</p> <p>calendar 2:5</p> <p>call 6:18 10:5 13:20 16:17</p> <p>called 6:20 10:10</p> <p>calling 28:16</p> <p>capacity 22:19</p> <p>car 10:7 28:18 29:4</p> <p>card 5:5 8:12 11:1 36:6</p> <p>case 1:8 2:8 3:21 36:22 38:11 39:14</p> <p>Cause 37:2 41:4</p> <p>certain 4:10</p> <p>Chair 24:14 25:18 36:19</p> <p>Chairman 33:14</p> <p>Chairperson 1:14</p>	<p>1:16 2:3,18,22 3:6 3:10 4:2,8 6:21 7:4,7,10,13,18 9:1 9:5,9,13 10:14 11:6,11,13 13:2,8 13:11,17 14:21 21:6 24:15 25:21 29:20 32:6 33:15 35:5,11,14,18 36:20 37:5,9,12 37:16 38:9,15,18 39:9,12,15,17,22 40:8,20 41:3,7,12 41:15,20,22 42:4 42:7,10</p> <p>change 38:5</p> <p>changed 31:17 35:1</p> <p>changing 35:1</p> <p>charge 40:2</p> <p>charges 37:19 40:16</p> <p>check 4:22,22</p> <p>chest 14:14 17:15</p> <p>Chi-Cha 21:14</p> <p>chose 11:2</p> <p>citation 30:1</p> <p>civilian 18:12 23:12</p> <p>clarifying 7:14,14 35:17</p> <p>clean 30:9</p> <p>clear 12:19</p> <p>clearly 8:12 10:21 19:12</p> <p>clipboard 10:7 19:14</p> <p>close 12:6 15:18 16:18,22 17:10 31:4</p> <p>closed 15:5,13 23:10,11</p> <p>clothing 5:19</p> <p>Club 1:6 2:9,17 4:21 22:5 24:19</p> <p>color 33:4</p> <p>Columbia 1:1 21:12</p> <p>come 2:11 16:22</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

17:12 23:18 29:7 coming 3:7,12 5:10 14:8 16:21 17:19 22:2 comment 6:4 27:7 27:13 comments 26:14 36:11 complain 20:19,20 completely 11:16 32:17,17 compliment 12:12 concern 35:22 concerned 34:11 concluded 42:14 conduct 5:12 32:18 conducting 36:10 confident 16:4 conflicting 27:9 confrontation 13:15,19 confrontational 12:2 continually 36:12 Control 1:2,12,13 cops 19:19,20 copy 39:7 correct 24:6,7 29:6 corroborating 14:18 couple 21:21 25:20 26:4 credential 8:2 CT 1:7	delicious 12:9 Demby 36:10 demeanor 11:15 describe 11:14 determine 37:19 diabetic 36:3 differ 14:3,6 differed 14:17 different 4:3 16:15 24:2 31:14,15 differently 23:6 disconcerting 36:18 disengaged 13:14 dismissed 22:12 30:2 disparaging 36:11 displaying 7:22 distorts 34:3 District 1:1 21:12 doing 4:18 16:2,20 DONALD 1:17 door 18:21 doorman 16:17 downstairs 15:14 dozens 20:13 drinking 26:3 drinks 26:5,7,8 30:15,21 drugs 22:7 dumb 20:3 29:13 dumbest 20:9 duty 35:3,6	enforcement 12:20 engaged 12:19 enormous 14:13 19:13 enter 5:22 entry 10:1 19:11 20:6 29:14 especially 23:6 establish 5:17 establishment 3:17 4:20 5:16 6:1,17 30:13 establishments 4:19 evening 7:9 13:6 33:18 everybody 19:19 evidence 38:1 evidentiary 40:2 exactly 12:18 31:16 31:18 41:22 42:1 experience 12:20 20:18 28:21 32:16 35:7 explain 38:21 explanation 25:6 expletive 10:11 eyes 12:2 26:11,11	18:17 22:16 flash 17:18 19:6 flashed 28:9 29:2 follow-up 36:9 forward 2:12 39:3 41:2 found 18:2 30:8 31:12,17 free 6:13 31:22 freed 10:3 front 5:2 15:4 22:4 22:8 28:9 further 13:15 future 34:12	12:6 grabs 31:5 great 17:10 22:14 group 27:1 guess 3:18 4:12 12:11 33:16 guy 19:1 28:22,22 29:2 guys 15:19 34:7 36:3
			G	H
			gate 14:9 16:11 gathering 3:19 gauging 28:20 Gazuza 21:20 General 38:12 39:4 40:6,13,19 41:1 General's 37:2 gentleman 14:6 16:9,10 18:1,22 19:7 26:11 28:14 gentlemen 15:3 Georgetown 22:2 getting 22:11 give 4:13 11:22 glad 34:20 go 4:21 5:8 6:8 9:6 37:16 40:12 41:2 41:12 going 4:1,21 6:2,7 14:3,5,16 16:16 16:17,21 17:10,12 19:4 20:4 22:10 23:10 28:17,20 29:7 31:4 35:21 36:4 40:19,21 41:2,4 good 2:18,20 5:9 21:8,9,16 41:13 grab 20:6,7 31:9,11 31:19 34:9 grabbed 6:12 10:2	handed 10:22 hands 31:19 happen 34:12 happened 30:14 31:21 32:3 35:9 40:9 happens 23:16 32:2 happy 16:4 21:4 28:15 hear 4:9 30:13 31:13 34:13 39:8 39:19 40:4 41:18 heard 22:17 25:6 26:13,15 32:5 33:20 hearing 1:7,13 2:4 3:15,20 13:18 14:17 33:22 38:22 38:22 39:21 40:1 40:2,3,12 41:5,9 41:10,13 42:13 hearings 23:5 HECTOR 1:18 held 8:3 11:2 high 31:7 hire 10:9 hires 32:11 hiring 27:1,14 history 23:13 29:18 hold 42:1 holder 8:2 holding 28:6 hope 23:15 hours 1:10 38:6 house 29:16
			F	
			facie 36:22 Fact 1:6 40:11 Fact-Finding 2:4 3:14 40:3 42:12 facts 4:11 40:4 fairly 34:16 far 16:8 28:9 34:10 fault 30:8 favor 38:16 feel 3:22 feeling 36:15 fight 22:8 fight 31:7 find 3:15 6:1,8 Finding 1:6 40:12 fine 41:17 first 8:5,8 12:18	
			D	
			D.C 1:14 19:7 29:5 day 20:15 31:5 dealings 13:16 deals 27:20 decide 4:10 39:5 40:4,15 41:1 decided 5:22 10:4 15:18 16:16 decides 39:2 decisions 19:9 21:3 deeply 33:11	
			E	
			earlier 10:21 easily 18:8 eat 16:4 eating 12:10 35:22 36:3 either 7:21 11:6,8 15:20 elementary 31:8 embarrassed 33:12 empty 15:2 enclosed 14:9 ended 22:11	

hurt 22:9 34:21	investigative 29:18	33:17,21 34:7,8,8	matter 1:4 22:21	37:11,14,18,20,21
hyper-progressive	Investigator 1:9,21	34:9,11,21 35:21	42:13	38:13 41:21
26:21	1:21 2:20 3:2,3,4	36:8 41:18	McGUIRE 2:15,16	mention 14:7
I	3:5,8 4:16,17 5:4	L	3:22 4:7 7:8 8:5	mentioned 15:2
ID 5:5 28:4 29:1,8	5:5,12 6:4,6 7:3,6	lack 36:16	8:20 9:14 10:2,2,8	26:11
36:5	7:19,21 8:1,7,10	laughing 20:19	10:17 13:22 14:22	mess 33:1,5
identification 5:3	8:18,21 9:3,7,10	law 12:20 34:22	21:9,10,13 22:14	messed 19:15 20:12
8:9,12 11:1,2	9:11,16,17,18,22	lead 34:5	23:2,8,15,17,20	met 1:13 5:1
17:22	10:1,3,5,6,10,15	learn 34:2	24:3,7,10,16,18	metal 19:14
identified 5:4 8:9	10:16 11:1,7,9,18	leave 22:7	24:21 25:3,7,10	middle 20:14,15
23:6	11:20 12:1,5,13	led 34:3	25:13,16 26:2,4,7	MIKE 1:18
identifying 5:19	12:17 13:1,4,5,6,9	legitimate 11:3	26:10,16,19 27:7	Miller 1:14,16 2:3
impaired 30:14	13:12,20 18:7	level 15:12	27:12,15,18 28:1	2:18,22 3:6,10 4:2
32:20 33:20 35:3	20:5 22:15 26:14	license 1:7 2:10	29:13 30:11,17,19	4:8 6:21 7:4,7,10
42:5	27:5,22 29:15	4:22 30:3,22	32:8,9,13,14 33:3	7:13,18 9:1,5,9,13
Impala 10:17 19:7	34:19 35:16,19	light 12:16	33:7,11 35:4,9	10:14 11:6,11,13
impression 8:15	36:10 37:13	listed 40:16	36:8 38:22 39:8	13:2,8,11,17
11:15	Investigators 10:9	little 5:20 9:21	39:11,13,16,19	14:21 21:6 24:15
inappropriate	10:10,19 11:5	16:15 21:18	40:7,18,22 41:6	25:21 29:20 32:6
34:17	20:14 22:17,19	LLC 1:5	41:11,14,17 42:3	33:15 35:5,11,14
incident 3:16 4:17	24:1 27:14 33:2,6	Local 21:22	42:6,9	35:18 36:20 37:5
incomprehensible	34:4 36:9,17	located 2:9	McGuire's 11:15	37:9,12,16 38:9
25:5	involved 13:10	long 21:11 24:17	mean 8:17 11:17,22	38:15,18 39:9,12
influence 12:3	issues 22:3	longer 12:19	12:16 16:12 17:8	39:15,17,22 40:8
information 3:16	J	look 38:3,7	18:11 20:3,7,10	40:20 41:3,7,12
3:19 5:14 9:11	JAMES 1:19	looked 10:17 15:14	21:17 28:5,15	41:15,20,22 42:4
13:3 27:9 39:3	job 22:15	15:15 30:5	30:3,14,18 31:4	42:7,10
40:14	jobs 20:21	looking 29:17	33:16	minor 30:3
informed 12:8	jovial 11:21	looks 8:17	means 17:9	mint 12:10 16:5,6
infraction 23:1	judge 16:7	lot 4:1 23:5	meet 20:5	35:22 36:4
inspection 5:13	June 4:14	lots 20:18	MEETING 1:3	minutes 15:10
36:11	K	louder 9:21	Member 1:17,17,18	mistakes 20:4 21:2
instance 34:21	keep 36:4	Lounge 21:14	1:18,19 7:12,16	monitoring 4:18
instigated 21:22	keeping 2:6	M	7:19 8:4,14,19,22	morning 2:19,21
instructed 5:7 6:16	Kentucky 10:11	ma'am 3:9 9:8,12	9:20 11:12,14,19	21:8,9 30:22
intention 13:22	kids 22:1	Madam 24:13	11:21 12:11,15,22	motion 37:4 38:10
interaction 14:20	kind 21:18 23:19	25:17 33:10,14	21:8,11 22:13,22	38:19
interest 33:22	28:19 35:21	36:19	23:3,15,18,21	move 20:10 37:1
interesting 31:17	kinds 32:12	main 13:18	24:4,8,13,16,20	MPD 3:7 13:7,9
interference 6:18	know 3:7 4:4 5:10	majority 16:3	25:1,4,8,12,14,15	N
interviewed 13:10	5:15 6:1,15,22	making 20:3	25:17,19 26:1,6,8	N.W 1:14 2:10
intoxicated 5:21	12:6,7,14 15:18	managed 21:20,21	26:13,17 27:6,11	name 2:15 5:19
12:21 16:6 17:4	15:19 19:3,9,14	manager 2:16 4:22	27:16,19 29:12,17	names 16:1
introduce 3:1	19:16 20:19 22:9	5:7 21:14 35:3,4,6	29:21 30:12,18	necessarily 40:11
investigation 39:1	28:17 31:8 33:1	Mark 1:21 3:2	32:4,8,10,15 33:4	need 34:1
39:10			33:9,13 35:13	needed 5:8
			36:19,21 37:3,7,8	

needs 27:10 Neither 10:12 11:9 18:5 never 22:3 27:3,4 30:12 new 21:22 news 29:8 31:14 NICK 1:17 night 4:16 6:20 15:1 17:2,6,10 20:15 21:16 26:3 non-confrontatio... 20:11 normally 20:1 noticeable 8:16 NW 1:6	40:18 41:6,13 42:3,4,6,8 on-duty 6:20 10:5 once 5:11 9:18 10:1 36:14,14 open 18:20 19:7 28:18 30:22 opened 17:14 21:14 21:20 28:5 operating 1:9 2:16 38:5 opposed 38:19 organization 32:11 outdoor 15:2 outside 15:22 owner 2:16 5:1,7 5:22 6:2,8 7:5 24:17,18 35:3	13:13 14:15 16:11 17:3 19:21 20:6 23:12 28:8,15 pointed 17:16 points 31:15,16,18 police 28:16 politics 26:21 poor 19:8 21:3 position 5:17 possibly 10:18 30:10 posting 30:2 present 1:15,20 24:22 presiding 1:14 pretty 33:20 34:22 previous 3:21 prima 36:22 probably 29:6,22 problem 15:8 23:7 proceed 39:5 process 10:8 prompted 10:12 provided 5:3,5 10:22 publications 31:15 pulled 28:8,10 29:8 pushed 6:13 put 26:12 32:2 34:9 35:8 putting 4:5	read 31:14 real 7:16 11:12 29:15 realize 10:18 realized 19:8 29:5 really 14:3,16 16:7 23:22,22 28:16 34:20 reason 13:18 15:20 28:2 record 3:1 22:6,6 30:9 red 26:12 redneck 10:11 Reeves 1:13 refer 37:1 38:10 40:5 refuse 20:5 29:14 32:19 refusing 19:11 regulatory 36:10 reiterate 10:20 reiterated 5:11 reiterating 6:3 remember 15:17 34:22 reminded 32:11 report 7:20 39:10 39:14 40:17 42:1 42:2 reports 39:1 40:11 respect 20:21 36:16 respected 22:19 respectful 23:14 respond 9:14 13:21 response 5:13 Retailer 1:7 ride 19:4 ridiculous 32:21 riding 19:9 right 2:3 8:14 18:14 19:1,16 21:17 22:8 24:14 25:22 27:6 28:1 29:20 35:12,14 37:20 38:10 41:3 Rodriguez 1:18	32:7,8,10,15 33:4 33:9,13 34:17 Room 1:5,13 row 19:9 21:3 Ruthanne 1:14,16
<hr/>				
S				
<hr/>				
safe 20:10 31:6,9 sat 14:1 saw 15:3 17:17 19:6 28:18 29:4 saying 10:13 24:1,8 34:14 says 18:6 23:13 scheduled 2:5,6 school 31:7,8 Science 1:6 2:9,17 4:21 22:5 24:18 seat 2:12,13 second 37:3 seconded 38:14,15 security 21:22 see 4:11 11:3 17:21 17:22 31:13 33:19 seeing 19:12 seen 27:3,4 sell 30:22 send 40:14 Senior 13:5 Señor 32:8,12 serious 22:21,22 34:18 38:2 shocked 32:17 short 1:19 14:19 21:7,8,11 22:13 23:3,15,18,21 24:4,8,13 37:3,8 38:13 shoulder 17:14 show 8:6 18:4 36:5 36:5 37:2 41:4 showed 8:11 14:15 18:5 36:16 showing 28:4 side 15:4 18:18 29:22 sidewalk 4:20 14:8				

38:5 silly 19:11,11,12 Silverstein 1:18 9:20 27:11,16,19 29:12,17,21 30:12 30:18 32:4 36:19 36:21 37:7,11,20 37:22,22 38:8 41:21 simple 4:1 30:4 simply 11:2 sir 8:21 9:22 21:10 32:9,14 33:6 situation 6:17 23:19 28:21 34:4 34:5 35:8 sketchy 21:18 slow 15:1,13 20:20 slurred 5:20 small 14:7 smell 12:7 smelled 12:9 sober 11:16 somebody 20:8 22:6,10 31:5 32:16 somewhat 33:17 sorry 12:15 29:16 sort 18:7 sorted 27:10 speak 5:6 6:2 9:20 26:18 37:14 speaking 16:3 specific 15:16 specifically 34:7 speech 5:20 split 15:12 spoke 8:4 staff 22:11 stairs 5:2 14:8 standing 14:11 15:5 18:22 start 4:13 10:7 started 6:9,10 22:8 28:3,11 33:8 state 34:22 stated 10:8 24:17	30:19 statement 32:21 35:21 stay 31:2 stayed 18:14 step 17:16 stepped 6:11,13,19 10:4 steps 6:9,10,11,14 14:14 Steve 2:15 stood 16:11 stop 20:8 31:10 stopped 6:14 story 7:11 14:18,19 24:1,5 31:13,14 strange 31:12 street 1:6,14 2:9 4:18 15:3 16:13 18:8,16,19,20 21:15,21 28:12 29:3 stupid 20:4 substantial 38:5 sugar 36:4 suggest 17:2 Suite 1:14 summary 4:14 supervisor 6:19,20 13:3 19:20 supervisors 19:20 supposed 17:8 sure 5:21 12:18 33:20 35:1,18,20 36:2 41:8 swear 26:20 system 22:1	Tea 1:5 tell 14:19 17:3 19:16 23:9 40:10 tell-tale 19:13 telling 18:12 24:9 24:11 testimony 3:18 thank 7:20 8:22 12:22 13:1 21:6 24:13 25:17 27:6 33:9,13 42:11,11 thing 14:2,5,17 20:9 29:22 31:20 39:20 things 10:13 14:1,4 34:14 think 3:11 4:3,4 6:10 9:11 11:22 18:13,13 19:3 23:3 25:2 27:9 32:4 34:1,10 35:6 39:10 41:7 thought 22:10 23:12 33:18 three 6:10 21:2,2 time 5:9 6:17 9:1 11:16 22:5,16 23:16 36:13 times 40:10 tired 30:15 31:3 today 14:1 told 18:17 19:22 24:12 top 5:2 tortured 25:5 touched 17:14,15 training 8:10 18:3 tried 6:11 trouble 19:1,18 truth 24:9,12 trying 20:8 24:10 turned 22:18 turning 16:14 two 14:7,14,18 15:3 20:7 26:7,8 30:15 30:21 31:14,15,19 type 5:19	<hr/> U <hr/> U 21:15,17 unacceptable 32:19 32:22 understand 7:11 33:6 understandable 18:11 understood 33:7 unfold 4:11 upstairs 15:15 use 9:21 usually 20:17,18,22 <hr/> V <hr/> variety 4:3 Vick 1:21 3:4,4 4:17 5:5 7:21 8:10 9:11,16,22 10:15 11:9,18,20 12:1 13:1 view 11:4 violation 37:6 41:8 violations 39:6 41:5 visible 8:16,20 Visine 26:12 visit 20:14 <hr/> W <hr/> wait 19:17 41:18,21 waiting 2:7 walk 6:12 14:12 16:14 18:15,19 28:3 walked 4:19 14:13 15:19 16:10 17:13 18:8 walking 16:13 19:1 28:11 31:11 wallet 17:17 want 3:15 13:19,21 23:22 26:17 32:1 32:10 33:1 35:20 38:21 40:10,15 wanted 4:4 40:3 warning 34:11 Washington 1:14	wasn't 5:18,21 12:18 16:7 31:1 watched 3:20 16:4 18:15,19 way 6:15 17:2 32:19 wearing 5:18 week 30:20 weird 28:22 went 10:6,15 13:13 14:12 15:14 41:9 weren't 5:9 whatnot 6:18 36:1 whatsoever 15:16 28:4 whipped 17:17 white 6:6 10:9,17 18:21 27:4,14 29:4 whites 27:1 wide 14:10 wonderful 17:1,6 22:15 wondering 16:5 word 25:9,11,12 worked 5:16 world 19:18 worse 34:5,12 wouldn't 15:21 16:12 written 14:4 wrong 20:7 34:14 <hr/> X <hr/> Y <hr/> yards 15:4 <hr/> Z <hr/> Zachary 1:21 3:4 <hr/> 0 <hr/> 1 <hr/> 1:00 14:22 30:21 1:10 9:4 10 15:9 10:30 2:6
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

11:19 2:2
11:21 3:11
11:52 42:14
1136 1:6 2:9
14-251-00170 1:8
 2:8
14th 1:13
16 21:22
16th 21:17
18th 21:21
1996 21:14
19th 1:6 2:9 15:3
1st 4:15

2

20 15:4
2000 1:13
20009 1:14
2005 24:21
2008 25:2 30:1,4
2014 1:11

3

3:00 31:1

4

400S 1:14
48 28:19

5

5 15:9

6

6 1:11
6-0-0 38:20

7

74353 1:7 2:10

8

9

9th 4:18